

PROB 12A
(7/93)

United States District Court
for
District of New Jersey
Report on Offender Under Supervision

Name of Offender: PATRICK CURCIONE

Cr.: 03-00438-001 & 03-00260-001

Name of Sentencing Judicial Officer: Honorable Stanley R. Chesler
United States District Judge

Date of Original Sentence: 09/11/03

Original Offense: Bank Robbery (two, one-count Informations), in violation of 18 U.S.C. § 2113(a)

Original Sentence: Imprisonment - 12 months and 1 day (concurrent); Supervised Release - three (3) years;
Special Assessment - \$200. Special conditions include: Alcohol Testing/Treatment; Substance Abuse
Testing/Treatment; Mental Health Testing/Treatment; Full Financial Disclosure.

Type of Supervision: Supervised Release

Date Supervision Commenced: 08/13/04

NONCOMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

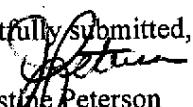
| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--------------------------------|
|-------------------------|--------------------------------|

- | | |
|---|---|
| 1 | The offender has failed to satisfy his joint and several restitution order in full prior to the expiration of his term of supervised release. The offender has paid a total of \$9,350 during the course of his supervision. As of June 28, 2007, the total restitution balance in this case is \$120,925.00. |
|---|---|

U.S. Probation Officer Action:

The Probation Office has monitored the offender's personal finances throughout the term of probation to ensure that he has paid his restitution as aggressively as his financial condition could sustain. An updated review of Curcione's income, assets, liabilities, and monthly expenses was completed just prior to the submission of this report, which reflected no notable changes in the offender's personal financial status. It is therefore recommended that this offender's supervision term expire as scheduled. The Financial Litigation Unit of the U.S. Attorney's Office has agreed to pursue collection of any restitution that remains unpaid after his scheduled termination date.

Respectfully submitted,

By: 
Justin Peterson
U.S. Probation Officer

Date: 07/06/07

A Response is necessary so that additional action be taken as follows:

- ☐ Supervision to expire on August 12, 2007. The Financial Litigation Unit of the U.S. Attorney's Office to pursue collection of any unpaid balance.
- ☐ Submit a Request for Modifying the Conditions or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☒ Other *Take no action*


Signature of Judicial Officer

7/19/07
Date

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

BARBARA R. KERRIGAN
SUPERVISING PROBATION OFFICER

July 11, 2007

766 SHREWSBURY AVENUE
1ST FLOOR
TINTON FALLS, NJ 07724
(732) 933-9412
FAX: (732) 933-9427
www.njp.uscourts.gov

The Honorable Stanley R. Chesler
United States District Court Judge
Clarkson S. Fisher Federal Building & U.S. Courthouse
402 East State Street, Room 5050
Trenton, New Jersey 08608

RE: CURCIONE, Patrick - Dkt. Nos. 03-00438-001 & 03-00260-001
NOTICE OF OUTSTANDING RESTITUTION
AND EXPIRATION OF SUPERVISION

Dear Judge Chesler:

On June 3, 2003, the above referenced offender appeared before Your Honor and entered a plea of guilty to two one count felony Informations (03-260-01, a Rule 20 from the District of South Carolina, and 03-438-01 from the District of New Jersey), charging that on May 2, 2000, in the District of South Carolina, the defendant and another individual (Robert Ayres Wood), robbed the Community First Bank, by means and use of a dangerous weapon, and on June 29, 2000, in the District of New Jersey, Curcione and Wood robbed the Mellon PSFS Savings Bank, 980 Rt. 73, Marlton, New Jersey, both in violation of 18 U.S.C. § 2113(a).

On September 11, 2003, Curcione appeared before Your Honor and was sentenced to serve twelve (12) months and one (1) day incarceration, to be followed by three (3) years supervised release, concurrent. Restitution in the amount of \$129,550 was ordered to be paid jointly between the above offender and (related case) Robert Ayres Wood, to Community First Bank, Mount Pleasant, South Carolina. The restitution was ordered to be paid at a minimum of \$250 per month (interest waived). Special conditions imposed also include: Alcohol testing/treatment as directed by the probation office; Substance Abuse testing/treatment as directed by the probation office; Submission of full financial Disclosure; and mental health testing/treatment as directed by the probation office. A \$200 special assessment was also imposed (satisfied).

On August 13, 2004, Curcione satisfied his custodial term and commenced serving his term of supervised release. Since the inception of supervision Curcione has resided at a home owned by his mother, located at 587 New Jersey Avenue, Bricktown, New Jersey. Curcione is a truck driver by trade, and after being laid off by his former employer in February 2007, he collected unemployment benefits until May 2007, when he secured employment with Cowan Systems, Monroe Township, New Jersey. He is currently employed full time, earning a monthly net income of approximately \$1,350 per month.

Curcione, Patrick

Page 2

July 11, 2007

According to restitution payment records provided by the U.S. Court Clerk, as of the date of this writing, Curcione has paid a total of \$9,350.00 toward his restitution obligation, and he currently has an outstanding balance of \$120,925.00.

Curcione provided his U.S. Individual Income Tax Return which reflects that he earned a yearly net income of \$27,340 for tax year 2006. He reports no tangible assets other than his vehicle, a 1995 Toyota Corolla, worth approximately \$1,000. *His month expenses are listed as follows: \$400 (health, insurance) \$400 (rent); \$265 (utilities); \$250 (restitution); \$80 (transportation). Based on the financial information provided, Curcione's monthly income minus expenses reflects a positive cash flow of \$35. A credit report obtained through CBI/Equifax reveals no open lines of credit, and a civil judgement in the amount of \$3,606 awarded to the Carrier Foundation.*

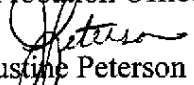
Curcione's failure to satisfy his court ordered restitution obligation notwithstanding, he has complied with both the standard and special conditions of his supervised release to date. Due to the fact that his supervision is scheduled to expire on August 12, 2007, and he does not appear to have the financial wherewithal to satisfy the remaining portion of his restitution prior to the expiration of his supervision term, we are recommending that this offender's case terminate as scheduled.

Please be advised that the Financial Litigation Unit of the U.S. Attorney's Office in the District of New Jersey was notified of Curcione's outstanding balance and the imminent expiration of his term of supervision, and they have agreed to pursue collection of his outstanding balance after the expiration of his term of supervised release.

Please review the attached Report of Offender Under Supervision and check to box which most appropriately reflects the Court's position in this matter. Please contact the undersigned officer at (732) 933-9418 if you have any questions, or need additional information.

Respectfully submitted,

CHRISTOPHER MALONEY, Chief
U.S. Probation Officer


By: Justine Peterson
U.S. Probation Officer